

2009 DRAFTING REQUEST

Bill

Received: **09/23/2008**

Received By: **rryan**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Willing**

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Pre Topic:

DOA:.....Willing, BB0088 -

Topic:

Family planning waiver for men

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

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2009-11 Budget Bill Statutory Language Drafting Request

- Topic: Family Planning Waiver for Men
- Tracking Code: BB0088
- SBO team: Health and Insurance
- SBO analyst: Krista Willing
 - Phone: 267-7980
 - Email: krista.willing@wisconsin.gov
- Agency acronym: DHS
- Agency number: 435
- Priority (Low, Medium, High): High

Intent:

Amend the statutes to allow the Department to apply for an expansion of its federal family planning waiver to include males. See attached document

Expand Family Planning Waiver to Males

Decision Needed

What changes to current law are required to enable the Department to expand the Family Planning Waiver to Males?

Background

1. Wisconsin's Family Planning Waiver Program is a Medicaid program developed to reduce unplanned pregnancies by expanding access to contraceptive care. The Waiver offers women, ages 15-44, who are at or below 200% of the federal poverty level (FPL), access to contraceptive and related reproductive health care services. The Centers for Medicare and Medicaid Services approved the waiver on June 14, 2002, and the program began serving women on January 1, 2003. The waiver was recently renewed until 2010.
2. The effects of unintended pregnancies are significant for women. Unintended pregnancies often diminish a woman's educational achievement and long term earning potential, cause economic hardship, depression and physical abuse. By preventing unintended pregnancies and increasing access to reproductive health care, significant medical and social costs can be averted in both the short and long run. Wisconsin's Family Planning Waiver was developed to address the problem of unintended pregnancies among low-income women.
3. Most past efforts to promote family planning and reproductive health have been largely directed at women. More recently states have begun to recognize the need to emphasize male responsibility. Men play an equally important role in preventing unplanned pregnancy and the transmission of sexually transmitted diseases (STDs), including HIV/AIDS, and often do not get the reproductive health information or services they need.
4. Because men often influence or determine sexual behavior and contraceptive use, the Department would like to expand FPW to include services for men, ages 15-44.

Current Language

s.49.45(24r) Current language directs the Department to request a waiver from the federal government to permit the Department to provide family planning under Medical Assistance to

women between the ages of 15 and 44 whose family incomes does not exceed 200% FPL. The Department is required to implement any waiver granted.

Proposed Change

Amend s.49.45(24r) to allow the Department to apply for an expansion of its federal family planning waiver to include males. The amendment will allow the Department to apply for a waiver to provide family planning services to women and men aged 15-44 at or below 200% of FPL and to implement any waiver granted.

Desired Effective Date:	Upon passage of the Biennial Budget bill
Agency:	DHS
Agency Contact:	Ellen Hadidian
Phone:	266-8155

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Medicaid State Waiver Program Demonstration Projects - General Information

Overview
Information for Consumers
Research & Demonstration Projects - Section 1115
HCBS Waivers - Section 1915 (c)
Combined 1915 (b)/(c) Waivers
Katrina Waivers
Waivers and Demonstrations through Map of States

Medicaid Waivers and Demonstrations List

Medicaid Waivers and Demonstrations List

Details for Wisconsin Family Planning 1115

[Return to List](#)

Shown below are the details for the item you selected from the list.

Official Program Name	Wisconsin Family Planning 1115
State	Wisconsin
Waiver Authority	1115 Family Planning
Date Originally Approved	06/14/2002
Implementation Date	01/01/2003
Expiration Date	12/31/2010
Summary	This program extends Medicaid eligibility for family planning services to women 15-44 years of age whose income is at or below 185% of the Federal Poverty Level (FPL), in order to reduce unintended pregnancies and thereby reduce the number of births and birth-related costs paid by Medicaid. The state estimates that this project will serve approximately 47,000 recipients.

FAMILY PLANNING DEMONSTRATION

Name of Proposed Program: Medicaid Family Planning Services for Women of Child Bearing Age in the State of Wisconsin

Renewal: The 3-year extension renewal expanded coverage to women only up to 200% of the FPL.

Date Proposal Submitted: June 25, 1999
Date Proposal Approved: June 14, 2002
Date of Implementation: January 1, 2003
Expiration Date: December 31, 2007
Renewal submitted: June 28, 2007
Renewal Approved: December 20, 2007
Expiration Date: December 31, 2010

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[Wisconsin Family Planning 1115](#) [ZIP, 9,124 KB]

[Wisconsin Family Planning Renewal December 2007](#) [ZIP, 3,338 KB]

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State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0373?

TJD: n....

In 9/25/08

JLd

DOA:.....Willing, BB0088 - Family planning waiver for men ✓

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

do not gen ✓

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

the **MEDICAL ASSISTANCE** - STET

program

*

Under current law, Medical Assistance (MA) provides family planning as a benefit to its recipients. DHS is required to request and has received a waiver of federal Medicaid laws to conduct a demonstration project to provide family planning services under MA to women between the ages of 15 and 44 with family incomes of not more than 200 percent of the federal poverty level.

This bill allows DHS to request an amended waiver from the federal Department of Health and Human Services to expand the current family planning demonstration project to include men, as well as women, between the ages of 15 and 44 whose family incomes are not more than 200 percent of the federal poverty level.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 49.45 (24r) of the statutes is renumbered 49.45 (24r) (a) and
3 amended to read:

1 49.45 (24r) FAMILY PLANNING DEMONSTRATION PROJECT (a) The department shall
2 request ~~a~~ ^{plan} implement any waiver from ^{now} granted by the secretary of the federal
3 department of health and human services to permit the department to conduct a
4 demonstration project to provide family planning, as defined in s. 253.07 (1) (a),
5 under medical assistance to any woman between the ages of 15 and 44 whose family
6 income does not exceed 200% [✓] of the poverty line for a family the size of the woman's
7 family. ~~The department shall implement any waiver granted.~~ [✓]

History: 1971 c. 40 s. 93; 1971 c. 42, 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106i, 201w; 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 355; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 989r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. 6; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (19), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293; 1999 a. 9, 63, 103, 180, 185; 2001 a. 13, 16, 35, 38, 57, 67, 104, 109; 2003 a. 33, 318, 321; 2005 a. 22; 2005 a. 25 ss. 1120 to 1149f, 2503 to 2510; 2005 a. 107, 165, 253, 254, 264, 301, 340, 386, 441; 2007 a. 20 ss. 1513 to 1559h, 9121 (6) (a); 2007 a. 90, 97, 104, 141, 153.

8 **SECTION 2.** 49.45 (24r) (b) of the statutes is created to read:

9 49.45 (24r) (b) The department may request an amended waiver [✓] from the
10 secretary to permit the department [✓] to conduct a demonstration project to provide
11 family planning to any [✓] man between the ages of 15 [✓] and 44 [✓] whose family income does
12 not exceed 200% ^{percent} of the poverty line for a family the size of the man's family. [✓] If the
13 amended waiver is granted, the department may implement the waiver. [✓]

14 (END)



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0373/1

TJD:jld:ph

DOA:.....Willing, BB0088 - Family planning waiver for men

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

MEDICAL ASSISTANCE

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SECTION 2. 49.45 (24r) (b) of the statutes is created to read:

49.45 (24r) (b) The department may request an amended waiver from the secretary to permit the department to conduct a demonstration project to provide family planning to any man between the ages of 15 and 44 whose family income does not exceed 200 percent of the poverty line for a family the size of the man's family. If the amended waiver is granted, the department may implement the waiver.

(END)